

WEDNESDAY, MARCH 14, 1990

SEVENTY-SEVENTH LEGISLATIVE DAY

The House met at 2:00 p.m. and was called to order by Mr. Speaker Murray.

The proceedings were opened with prayer by Rev. Tom Stanton, Clark Street Baptist Church, Johnson City, Tennessee.

Representative Bob Good led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present 97

Representatives present were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 97.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under Rule No. 20:

The Speaker announced that Representative Webb was excused due to commitments in Athens, Tennessee.

REPORTS FROM STANDING COMMITTEES

REPORT OF COMMITTEE ON CALENDAR AND RULES

March 13, 1990

MR. SPEAKER: Your Calendar and Rules Committee begs leave to report that we have met and set the following bills on the Regular

WEDNESDAY, MARCH 14, 1990 -- SEVENTY-SEVENTH LEGISLATIVE DAY

Calendar for Wednesday, March 14, 1990: House Bill(s) No(s). 1835, 1912, 74, 2327, 1836, 1587, 2101, 2218, 2359, 2155, 2519, 1914, 2330, 2317 and 2516.

We have also set the following bills on the Regular Calendar for Thursday, March 15, 1990: House Bill(s) No(s). Bill(s) No(s). 2370, 2408, 2199, 2192, 1708, 1623, 2043, 2294 and 1639.

We further report that we have met and set the following bill(s) and/or resolution(s) on the Consent Calendar for Monday, March 19, 1990: House Bill(s) No(s). 2006, 2347, 1848, 2110, 1852, 2046 and 2047; also, House Joint Resolution(s) No(s). 625 and 648.

PHILLIPS, Chairman.

AGRICULTURE COMMITTEE
March 13, 1990

MR. SPEAKER: Your Agriculture Committee begs leave to report that we have carefully considered and recommend for passage: House Bill(s) No(s). 2138 (with amendment); for adoption, House Resolution(s) No(s). 108.

STALLINGS, Chairman.

Under the rules, House Bill(s) No(s). 2138 (with amendment); also, House Resolution(s) No(s). 108; was/were transmitted to the Calendar and Rules Committee.

COMMERCE COMMITTEE
March 13, 1990

MR. SPEAKER: Your Commerce Committee begs leave to report that we have carefully considered and recommend for passage: House Bill(s) No(s). 1044 (with amendment), 1726, 1818 (with amendment), 1935, 2132 (with amendment), 2184 (with amendment), 2227 and 2584.

We further recommend that, pursuant to Rule No. 72, House Bill(s) No(s). 2258 be referred to the Finance, Ways and Means Committee.

We further report that the following was/were considered but failed to pass: House Bill No. 1783.

RHINEHART, Chairman.

Under the rules, House Bill(s) No(s). 1044 (with amendment), 1726, 1818 (with amendment), 1935, 2132 (with amendment), 2184 (with amendment), 2227 and 2584 was/were transmitted to the Calendar and Rules Committee.

Pursuant to Rule No. 72, the Speaker referred House Bill(s) No(s). 2258 to the Finance, Ways and Means Committee.

WEDNESDAY, MARCH 14, 1990 -- SEVENTY-SEVENTH LEGISLATIVE DAY

EDUCATION COMMITTEE

March 13, 1990

MR. SPEAKER: Your Education Committee begs leave to report that we have carefully considered and recommend for passage: House Bill(s) No(s). 2574 (with amendment).

We further recommend that, pursuant to Rule No. 72, House Bill(s) No(s). 559 (with amendment), 2077 and 2204 be referred to the Finance, Ways and Means Committee.

We further report that the following was/were considered but failed to pass: House Bill No. 2034.

DAVIDSON, Chairman.

Under the rules, House Bill(s) No(s). 2574 (with amendment) was/were transmitted to the Calendar and Rules Committee.

Pursuant to Rule No. 72 the Speaker referred House Bill(s) No(s). 559 (with amendment), 2077 and 2204 to the Finance, Ways and Means Committee.

FINANCE, WAYS AND MEANS COMMITTEE

March 13, 1990

MR. SPEAKER: Your Finance, Ways and Means Committee begs leave to report that we have carefully considered and recommend for passage: House Bill(s) No(s). 1648, 1722, 1790, 1798, 1800, 1809, 1897, 1913 (with amendment), 1931, 2089, 2222, 2238, 2320, 2329 (with amendment) and 2358 (with amendment); for adoption: Senate Joint Resolution(s) No(s). 446.

BRAGG, Chairman.

Under the rules, House Bill(s) No(s). 1648, 1722, 1790, 1798, 1800, 1809, 1897, 1913 (with amendment), 1931, 2089, 2222, 2238, 2320, 2329 (with amendment) and 2358 (with amendment); also, Senate Joint Resolution(s) No(s). 446 was/were transmitted to the Calendar and Rules Committee.

GOVERNMENT OPERATIONS COMMITTEE

March 13, 1990

MR. SPEAKER: Your Government Operations Committee begs leave to report that we have carefully considered and recommend for passage: House Bill(s) No(s). 1662.

KING, Chairman.

Under the rules, House Bill(s) No(s). 1662 was/were transmitted to the Calendar and Rules Committee.

WEDNESDAY, MARCH 14, 1990 -- SEVENTY-SEVENTH LEGISLATIVE DAY

JUDICIARY COMMITTEE

March 13, 1990

MR. SPEAKER: Your Judiciary Committee begs leave to report that we have carefully considered and recommend for passage: House Bill(s) No(s). 1694 (with amendment), 1747, 1801, 2153, 2154 (with amendment), 2219 (with amendment), 2373 (with amendment), 2380 (with amendment) and 2562.

We further recommend that, pursuant to Rule No. 72, House Bill(s) No(s). 1554 (with amendment), 1769, 1774 (with amendment), 2036, 2038 (with amendment), 2094 (with amendment), 2107 (with amendment), 2113, 2246, 2252, 2351, 2393 and 2450 (with amendment) be referred to the Finance, Ways and Means Committee.

BUCK, Chairman.

Under the rules, House Bill(s) No(s). 1694 (with amendment), 1747, 1801, 2153, 2154 (with amendment), 2219 (with amendment), 2373 (with amendment), 2380 (with amendment) and 2562 was/were transmitted to the Calendar and Rules Committee.

Pursuant to Rule No. 72, the Speaker referred House Bill(s) No(s). 1554 (with amendment), 1769, 1774 (with amendment), 2036, 2038 (with amendment), 2094 (with amendment), 2107 (with amendment), 2113, 2246, 2252, 2351, 2393 and 2450 (with amendment) to the Finance, Ways and Means Committee.

STATE AND LOCAL GOVERNMENT COMMITTEE

March 13, 1990

MR. SPEAKER: Your State and Local Government Committee begs leave to report that we have carefully considered and recommend for passage: House Bill(s) No(s). 1291 (with amendment), 1630, 1683 (with amendment), 1741, 1806, 1861, 2083 (with amendment), 2162, 2344 (with amendment), 2390, 2497, 2518 (with amendment), 2528, 2576 and 2589 (with amendment).

We further recommend that, pursuant to Rule No. 72, House Bill(s) No(s). 1964 (with amendment), 2427 and 2553 be referred to the Finance, Ways and Means Committee.

LOVE, Chairman.

Under the rules, House Bill(s) No(s). 1291 (with amendment), 1630, 1683 (with amendment), 1741, 1806, 1861, 2083 (with amendment), 2162, 2344 (with amendment), 2390, 2497, 2518 (with amendment), 2528, 2576 and 2589 (with amendment); was/were transmitted to the Calendar and Rules Committee.

Pursuant to Rule No. 72, the Speaker referred House Bill(s) No(s). 1964 (with amendment), 2427 and 2553 to the Finance, Ways and Means Committee.

WEDNESDAY, MARCH 14, 1990 -- SEVENTY-SEVENTH LEGISLATIVE DAY

TRANSPORTATION COMMITTEE

March 13, 1990

MR. SPEAKER: Your Transportation Committee begs leave to report that we have carefully considered and recommend for passage: House Bill(s) No(s). 2052, 2407 (with amendment), 2414, 2415 (with amendment), 2565 (with amendment) and 2570; for adoption: House Joint Resolution(s) No(s). 642 (with amendment) and 673 (with amendment); for concurrence: Senate Joint Resolution(s) No(s). 463, 464, 465 and 474 (with amendment).

The following was/were considered but failed to pass: House Bill No. 1938.

ROBB ROBINSON, Chairman.

Under the rules, House Bill(s) No(s). 2052, 2407 (with amendment), 2414, 2415 (with amendment), 2565 (with amendment) and 2570; House Joint Resolution(s) No(s). 642 (with amendment) and 673 (with amendment); also, Senate Joint Resolution(s) No(s). 463, 464, 465 and 474 (with amendment); was/were transmitted to the Calendar and Rules Committee.

REPORT OF CHIEF ENGROSSING CLERK

March 13, 1990

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bill(s) No(s). 1807, 1812 and 2223; and House Joint Resolution(s) No(s). 651, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 667, 669 and 670; for his action.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

March 13, 1990

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 738, 1768, 1803, 2232, 2287, 2303, 2307, 2323, 2326, 2349, 2352, 2357, 2378, 2393, 2397, 2403, 2405, 2413, 2478 and 2528; passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

*Senate Bill No. 0738 -- Tort Liability -- Revises itemization of damages recoverable in wrongful death action. Amends TCA 20-5-113.

*Senate Bill No. 1768 -- Smoking -- Includes nicotine abuse in substance abuse programs. Amends TCA, Titles 33, 49.

WEDNESDAY, MARCH 14, 1990 -- SEVENTY-SEVENTH LEGISLATIVE DAY

***Senate Bill No. 1803 -- Courts, General Sessions --** Creates new division of court and judge in the General Sessions Criminal Court Act of 1981. Amends Chapter 772, Public Acts 1982.

***Senate Bill No. 2232 -- Osteopathy --** Requires certain personnel in physicians' offices to be certified. Amends TCA, Title 63, Ch. 9.

***Senate Bill No. 2287 -- Insurance Companies, Agents, Brokers --** Enacts "Exchange or Reciprocal Insurance Act of 1990". Amends TCA, Title 56, Ch. 16.

***Senate Bill No. 2303 -- Sunset Laws --** Extends termination date of department of education. Amends TCA, Title 2, Ch. 19; Title 3, Ch. 15; Title 4, Chs. 3, 11, 12, 29; Title 5, Chs. 12, 21; Title 6, Ch. 21; Title 8, Chs. 23, 27, 34, 36, 50; Title 10, Chs. 1, 2, 7; Title 11, Chs. 21, 24; Title 24, Ch. 1; Title 37, Chs. 1, 3; Title 39, Ch. 6; Title 41, Chs. 5, 21; Title 49; Title 50, Ch. 6; Title 55, Ch. 50; Title 63, Chs. 11, 17; Title 68, Chs. 1, 12; Title 71, Ch. 4.

***Senate Bill No. 2307 -- Sunset Laws --** Extends termination date of state board of education. Amends TCA, Title 1, Ch. 3; Title 2, Ch. 17; Title 4, Chs. 3, 29; Title 5, Chs. 1, 8, 9, 12--15, 21, 22; Title 6, Chs. 21, 31, 33, 35, 36, 53, 56; Title 7, Ch. 2; Title 8, Chs. 23, 30, 34, 35, 39, 47, 48; Title 10, Ch. 2; Title 11, Ch. 21; Title 12, Chs. 1, 4; Title 20, Chs. 9, 13; Title 27, Ch. 9; Title 28, Chs. 1, 3; Title 29, Chs. 14, 20, 35; Title 37, Chs. 1, 2; Title 39, Ch. 6; Title 40, Ch. 28; Title 47, Chs. 2, 4, 14; Title 49; Title 50, Chs. 1, 6; Title 62, Ch. 34; Title 63, Ch. 11; Title 67, Chs. 3, 6; Title 68, Chs. 1, 12; Title 70, Ch. 2.

***Senate Bill No. 2323 -- Election Laws --** Revises time period for appeal of rejection of voter registration. Amends TCA, Titles 2, 55.

Senate Bill No. 2326 -- University of Tennessee -- Revises term of UT board of trustees members. Amends TCA 49-9-202, 203.

***Senate Bill No. 2349 -- Privacy, Confidentiality --** Extends confidential status to certain records of county and municipal governments. Amends TCA, Title 10, Ch. 7.

Senate Bill No. 2352 -- Purchasing -- Exempts nonprofit corporations from County Purchasing Law of 1983. Amends TCA 5-14-202.

Senate Bill No. 2357 -- Alcoholic Beverages -- Gives board discretion to issue permit prior to one year after revocation. Amends TCA 57-5-109.

Senate Bill No. 2378 -- Motor Vehicles -- Permits parties in an accident to obtain financial responsibility information about other parties. Amends TCA 55-12-104.

WEDNESDAY, MARCH 14, 1990 -- SEVENTY-SEVENTH LEGISLATIVE DAY

***Senate Bill No. 2393 -- Mines, Mining -- Changes certain regulatory provisions pertaining to strip and open pit mines and mining. Amends TCA, Title 59.**

Senate Bill No. 2397 -- Game and Fish Laws -- Revises certain provisions relative to game and fish laws. Amends TCA 70-1-302, 305, 70-2-101, 108, 70-2-205, 206, 208, 218, 70-4-104, 113, 115, 116, 118, 119, 70-4-201, 206, 101, 70-6-101, 70-8-103.

***Senate Bill No. 2403 -- Mass Transit -- Defines "mass transit systems". Amends TCA 54-4-103.**

***Senate Bill No. 2405 -- Real Property -- Revises definitions; provides for private elements in Horizontal Property Act. Amends TCA, Title 66, Ch. 27, Pt. 1.**

***Senate Bill No. 2413 -- Aged Persons -- Allows blood donations by persons older than 65. Amends TCA 68-32-101.**

Senate Bill No. 2478 -- Juries and Jurors -- Grants sole discretion to judge on issue of jury sequestration in certain cases. Amends TCA 40-18-116.

Senate Bill No. 2528 -- Litter Control -- Creates presumption that litter bearing person's name was put on property by that person. Amends TCA 39-14-502.

MESSAGE FROM THE SENATE

March 13, 1990

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 455, 513, 515, 516 and 523; adopted for concurrence.

**CLYDE W. McCULLOUGH, JR.,
Chief Clerk.**

***Senate Joint Resolution No. 0455 -- General Assembly, Studies -- Creates special joint committee to study rising health care costs.**

Senate Joint Resolution No. 0513 -- Memorials, Professional Achievement -- Commends Larry Carrier for development of Bristol International Raceway.

Senate Joint Resolution No. 0515 -- Memorials, Public Service -- Commends Ronald Isenberg for diligent community service.

Senate Joint Resolution No. 0516 -- Memorials, Personal Occasion -- Congratulates Alice and Terry Reid on fortieth anniversary.

Senate Joint Resolution No. 0523 -- Memorials, Retirement -- Honors Bergen Merrill, Jr. on his retirement from Memphis State University.

WEDNESDAY, MARCH 14, 1990 -- SEVENTY-SEVENTH LEGISLATIVE DAY

ENROLLED BILLS

March 13, 1990

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bill(s) No(s). 1778, 1837, 2032, 2147, 2206, 2233, 2242, 2400, 2523, 2599, 2600, 2601, 2602, 2605, 2607 and 2609; House Resolution(s) No(s). 120; also, House Joint Resolution(s) No(s). 613, 671, 674, 675, 676 and 679; and find same correctly enrolled and ready for the signature(s) of the Speaker(s).

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

SIGNED

March 13, 1990

The Speaker announced that he had signed the following: Senate Bill(s) No(s). 1573, 1879, 1888 and 2324; also, Senate Joint Resolution(s) No(s). 506.

SIGNED

March 13, 1990

The Speaker announced that he had signed the following: House Bill(s) No(s). 1778, 1837, 2032, 2147, 2206, 2233, 2242, 2400, 2523, 2599, 2600, 2601, 2602, 2605, 2607 and 2609; House Joint Resolution(s) No(s). 613, 671, 674, 675, 676 and 679; also, House Resolution(s) No(s). 120.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

REPORTS FROM STANDING COMMITTEES

REPORT OF COMMITTEE ON CALENDAR AND RULES

March 14, 1990

MR. SPEAKER: Your Calendar and Rules Committee begs leave to report that we have met and set the following bills on the Regular Calendar for Thursday, March 15, 1990: House Bill(s) No(s). 2167, 1766, 2539, 2345 and 1650; Senate Bill(s) No(s). 499; also, House Joint Resolution(s) No(s). 555, 583, 360 and 533.

We further report that we have met and set the following bill(s) and/or resolution(s) on the Consent Calendar for Monday, March 19, 1990: House Joint Resolution(s) No(s). 522, 561 and 666.

PHILLIPS, Chairman.

WEDNESDAY, MARCH 14, 1990 -- SEVENTY-SEVENTH LEGISLATIVE DAY

CONSERVATION AND ENVIRONMENT COMMITTEE

March 14, 1990

MR. SPEAKER: Your Conservation and Environment Committee begs leave to report that we have carefully considered and recommend for passage: House Bill(s) No(s). 1870 and 2129 (with amendment).

We further recommend that, pursuant to Rule No. 72, House Bill(s) No(s). 1643 (with amendment), 2145 and 2478; be referred to the Finance, Ways and Means Committee.

HILLIS, Chairman.

Under the rules, House Bill(s) No(s). 1870 and 2129 (with amendment) was/were transmitted to the Calendar and Rules Committee.

Pursuant to Rule No. 72, the Speaker referred House Bill(s) No(s). 1643 (with amendment), 2145 and 2478 to the Finance, Ways and Means Committee.

GENERAL WELFARE COMMITTEE

March 14, 1990

MR. SPEAKER: Your General Welfare Committee begs leave to report that House Bill(s) No(s). 2444 was considered but failed to pass.

STARNES, Chairman.

LABOR AND CONSUMER AFFAIRS COMMITTEE

March 14, 1990

MR. SPEAKER: Your Labor and Consumer Affairs Committee begs leave to report that we have carefully considered and recommend for passage: House Bill(s) No(s). 1973 (with amendment).

We further recommend that, pursuant to Rule No. 72, House Bill(s) No(s). 2165 and 2479 (with amendment) be referred to the Finance, Ways and Means Committee.

CHRIS TURNER, Chairman.

Under the rules, House Bill(s) No(s). 1973 (with amendment) was/were transmitted to the Calendar and Rules Committee.

Pursuant to Rule No. 72, the Speaker referred House Bill(s) No(s). 2165 and 2479 (with amendment) to the Finance, Ways and Means Committee.

RULES SUSPENDED

Rep. Stallings moved that the rules be suspended for the purpose

of introducing House Joint Resolution No. 707 out of order, which motion prevailed.

House Joint Resolution No. 0707 -- Memorials, Congratulations --
Congratulates Billy Whitehurst on having Hardeman County Airport named in his honor. by *Stallings.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Stallings, the resolution was adopted by the following vote:

Ayes.	91
Noes.	0

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Cole, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Duer, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Purcell, Rhinehart, Ridgeway, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Turner (Hamilton), Turner, O. (Shelby), Turner, L. (Shelby), Ussery, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 91.

A motion to reconsider was tabled.

REGULAR CALENDAR

House Bill No. 2099 -- Juries and Jurors -- Increases grand jury foreman's compensation.

Rep. Naifeh moved that House Bill No. 2099 be reset two weeks to the Calendar for March 28, 1990, which motion prevailed.

House Bill No. 1746 -- Criminal Offenses -- Bans paramilitary training under certain circumstances. Amends TCA, Title 39, Ch. 17, Pt. 3.

Rep. DePriest moved that House Bill No. 1746 be passed on third and final consideration.

Rep. Buck moved adoption of Judiciary Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1746 by deleting subsection (a) of the amendatory language of SECTION 1 in its entirety.

FURTHER AMEND by deleting the first five (5) words of subsection (b) of the amendatory language of SECTION 1 and substituting instead the words "The following definitions apply in this section unless the context otherwise requires".

FURTHER AMEND by deleting subsection (b)(4) of the amendatory language of SECTION 1 in its entirety.

FURTHER AMEND by appropriately relettering the subsections of the amendatory language of SECTION 1.

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. DePriest moved that House Bill No. 1746, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 97
Noes 0

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 97.

A motion to reconsider was tabled.

*House Bill No. 1827 -- Election Laws -- Clarifies recordkeeping procedures in counties using computer voting systems. Amends TCA, Title 2.

On motion, House Bill No. 1827 was made to conform with Senate Bill No. 2266.

On motion, Senate Bill No. 2266, on same subject, was substituted for House Bill No. 1827.

WEDNESDAY, MARCH 14, 1990 -- SEVENTY-SEVENTH LEGISLATIVE DAY

Rep. Holt moved that Senate Bill No. 2266 be passed on third and final consideration.

On motion, Rep. Love withdrew State and Local Government Committee Amendment No. 1.

On motion, Rep. Bragg withdrew Finance, Ways and Means Committee Amendment No. 1.

Thereupon, Rep. Holt moved that Senate Bill No. 2266 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	97
Noes.	0

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 97.

A motion to reconsider was tabled.

*House Bill No. 1811 -- Highway Signs -- Provides for signs indicating Cookeville exits.

On motion, House Bill No. 1811 was made to conform with Senate Bill No. 2104.

On motion, Senate Bill No. 2104, on same subject, was substituted for House Bill No. 1811.

Rep. Henry (Putnam) moved that Senate Bill No. 2104 be passed on third and final consideration.

On motion, Rep. Robinson (Davidson) withdrew Transportation Committee Amendment No. 1.

Thereupon, Rep. Henry (Putnam) moved that Senate Bill No. 2104 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. 98
 Noes. 0

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 98.

A motion to reconsider was tabled.

*House Bill No. 1840 -- Bond Issues -- Authorizes investment of bond proceeds in certain securities. Amends TCA 5-8-301, 6-56-106, 7-82-108.

On motion, House Bill No. 1840 was made to conform with Senate Bill No. 2199.

On motion, Senate Bill No. 2199, on same subject, was substituted for House Bill No. 1840.

Rep. Bragg moved that Senate Bill No. 2199 be passed on third and final consideration.

Rep. Bragg moved adoption of Finance, Ways and Means Committee Amendment No. 1 as follows:

Amendment No. 1

Amend Senate Bill No. 2199 by deleting the amendatory language in Section 1 and substituting instead the following:

(c) Proceeds of bonds, notes and other obligations issued by municipalities, reserves held in connection therewith and the investment income therefrom, may be invest in obligations (1) which are rated in either of the two (2) highest rated categories by a nationally recognized rating agency of such obligation; (2) which are direct general obligations of a state of the United States, or a political subdivision or instrumentality thereof, having general taxing powers; and (3) which obligations have a final maturity on the date of investment of not to exceed twenty-four (24) months or which may be tendered by the

holder to the issuer thereof, or an agent of the issuer, at not less than twenty-four (24) month intervals.

Such proceeds and the investment income thereon may also be invested as otherwise set forth in this section.

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Bragg moved that Senate Bill No. 2199, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	98
Noes	0

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Molt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 98.

A motion to reconsider was tabled.

*House Bill No. 1684 -- Telecommunications -- Enacts "Unsolicited Telefacsimile Advertising Act".

On motion, House Bill No. 1684 was made to conform with Senate Bill No. 1854.

On motion, Senate Bill No. 1854, on same subject, was substituted for House Bill No. 1684.

Rep. Bragg moved that Senate Bill No. 1854 be passed on third and final consideration.

Rep. Rhinehart moved adoption of Commerce Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 1854 by adding the following language

at the end of Section 2:

Provided, however, no employee who follows the orders of a superior shall be liable for civil damages or penalties as provided in Sections 3 and 4.

AND FURTHER AMEND by deleting Section 4 in its entirety and by substituting instead the following language:

SECTION 4. A civil penalty may be assessed against any person, corporation, partnership or association who initiates the unsolicited transmission of telefacsimile messages promoting goods or services for purchase by the recipient of such messages in the amount of not more than one hundred dollars (\$100) by the appropriate regulatory agency. All penalty monies collected shall be deposited in the state general fund.

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Bragg moved that Senate Bill No. 1854, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	96
Noes	0

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 96.

A motion to reconsider was tabled.

*House Bill No. 1749 -- Utilities, Utility Districts -- Increases compensation of commissioners of utility districts. Amends TCA 7-82-308.

On motion, House Bill No. 1749 was made to conform with Senate Bill No. 2029.

WEDNESDAY, MARCH 14, 1990 -- SEVENTY-SEVENTH LEGISLATIVE DAY

On motion, Senate Bill No. 2029, on same subject, was substituted for House Bill No. 1749.

Rep. Cross moved that Senate Bill No. 2029 be passed on third and final consideration.

On motion, Rep. Love withdrew State and Local Government Committee Amendment No. 1.

Thereupon, Rep. Cross moved that Senate Bill No. 2029 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	87
Noes.	6

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Garrett, Good, Gunnels, Halteman, Harrill, Hassell, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Sipes, Stallings, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, West, Wheeler, Whitson, Williams, Winningham, Wix, Wood, Yelton, Mr. Speaker Murray -- 87.

Representatives voting no were: Givens, Haun, Hubbard, Niceley, Nuber, Shirley -- 6.

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

MR. SPEAKER: Pursuant to Rule No. 31, I wish to express a desire to change my original stand from not voting to no on Senate Bill No. 2029 and have this statement entered in the Journal.

Rep. Randy Stamps

REQUEST TO CHANGE VOTE

MR. SPEAKER: Pursuant to Rule No. 31, I wish to express a desire to change my original stand from yes to no on Senate Bill No. 2029 and have this statement entered in the Journal.

Rep. Beth Halteman

REQUEST TO CHANGE VOTE

MR. SPEAKER: Pursuant to Rule No. 31, I wish to express a desire to change my original stand from yes to no on Senate Bill No. 2029 and have this statement entered in the Journal.

Rep. Ben West

REQUEST TO CHANGE VOTE

MR. SPEAKER: Pursuant to Rule No. 31, I wish to express a desire to change my original stand from yes to no on Senate Bill No. 2029 and have this statement entered in the Journal.

Rep. Gary Odom

REGULAR CALENDAR, CONTINUED

*House Bill No. 1847 -- State Symbols -- Designates honeybee as official agricultural insect. Amends TCA, Title 4, Ch. 1, Pt. 3.

On motion, House Bill No. 1847 was made to conform with Senate Bill No. 2155.

On motion, Senate Bill No. 2155, on same subject, was substituted for House Bill No. 1847.

Rep. Jackson moved that Senate Bill No. 2155 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	94
Noes.	0
Present and not voting.	1

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Cole, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Ussery, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 94.

Representatives present and not voting were: Coffey -- 1.

A motion to reconsider was tabled.

*House Bill No. 1613 -- Sunset Laws -- Extends termination date of board of dietician/nutritionist examiners. Amends TCA, Title 4, Ch. 29; Title 63, Ch. 25.

On motion, House Bill No. 1613 was made to conform with Senate Bill No. 1721.

On motion, Senate Bill No. 1721, on same subject, was substituted for House Bill No. 1613.

Rep. King moved that Senate Bill No. 1721 be passed on third and final consideration.

Rep. King moved to amend as follows:

Amendment No. 1

Amend Senate Bill No. 1721 by deleting the amendatory language of Section 1 and by substituting instead the following:

() Board of dietitian/nutritionist examiners, created by Section 63-25-106;

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. King moved that Senate Bill No. 1721, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	96
Noes.	0

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odum, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Mr. Speaker Murray -- 96.

A motion to reconsider was tabled.

House Bill No. 2346 -- Privacy, Confidentiality -- Establishes confidentiality and immunity for and places certain requirements on marital and family therapists. Amends TCA 33-10-101, 33-10-301; Title 63, Ch. 22, Pt. 1.

Rep. Holcomb moved that House Bill No. 2346 be passed on third and final consideration.

Rep. Holcomb moved to amend as follows:

Amendment No. 1

Amend House Bill No 2346 by adding the following sentence to the end of Section 2:

However, nothing contained within this section shall be construed to prevent disclosures of confidential communications in proceedings arising under Tennessee Code Annotated, Title 37, Chapter 1, Part 4, concerning mandatory child abuse reports.

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Holcomb moved that House Bill No. 2346, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	97
Noes.	0

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 97.

A motion to reconsider was tabled.

House Bill No. 1835 -- Safety -- Increases fees for electrical inspectors. Amends TCA 68-17-143.

On motion, House Bill No. 1835 was made to conform with Senate

Bill No. 1627

On motion, Senate Bill No. 1627, on same subject, was substituted for House Bill No. 1835.

Rep. Rhinehart moved passage of Senate Bill No. 1627 on third and final consideration, which motion failed by the following vote:

Ayes	35
Noes	50
Present and not voting	8

Representatives voting aye were: Anderson, Armstrong, Bell, Bragg, Buck, Burnett, Cain, Crain, Cross, Gurlee, Davidson, DeBerry, DePriest, Haun, Head, Hillis, Molt, Huskey, Jones, R. (Shelby), Kisber, Love, Naifeh, Napier, Phillips, Pinion, Purcell, Rhinehart, Robinson (Hamilton), Stallings, Starnes, Turner (Hamilton), Ussery, Williams, Wix, Mr. Speaker Murray -- 35.

Representatives voting no were: Austin, Bittle, Bivens, Burchfield, Byrd, Callicott, Chiles, Coffey, Cole, Collier, Davis (Gibson), Davis (Knox), Gaia, Givens, Gunnels, Halteman, Harrill, Hassell, Henry (Roane), Herron, Hobbs, Holcomb, Hubbard, Jackson, Kent, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Niceley, Nuber, Odom, Peroulas, Ridgeway, Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stamps, Turner, C. (Shelby), Turner, L. (Shelby), West, Wheeler, Whitson, Winningham, Wolfe, Wood, Yelton -- 50.

Representatives present and not voting were: Copeland, Dixon, Garrett, Good, Henry (Putnam), Jones, U. (Shelby), Kernell, Pruitt -- 8.

Pursuant to Rule No. 63, having received a constitutional majority in the negative, a motion was entertained that Senate Bill No. 1627 be rejected. No motion for rejection having been made, the bill was re-referred to the Calendar and Rules Committee.

REQUEST TO CHANGE VOTE

MR. SPEAKER: Pursuant to Rule No. 31, I wish to express a desire to change my original stand from roll call to aye on Senate Bill No. 1627 and have this statement entered in the Journal.

Rep. Michael Kernell

REGULAR CALENDAR, CONTINUED

House Bill No. 1912 -- Highways, Roads and Bridges -- Removes requirement of county legislative body approval of appointed road superintendent 1990 salary increases. Amends TCA 54-7-106.

WEDNESDAY, MARCH 14, 1990 -- SEVENTY-SEVENTH LEGISLATIVE DAY

On motion, House Bill No. 1912 was made to conform with Senate Bill No. 1813.

On motion, Senate Bill No. 1813, on same subject, was substituted for House Bill No. 1912.

Rep. Rhinehart moved passage of Senate Bill No. 1813 on third and final consideration, which motion failed by the following vote:

Ayes.	33
Noes.	53
Present and not voting.	4

Representatives voting aye were: Anderson, Bell, Bragg, Burnett, Cain, Clark, Collier, Copeland, Cross, Curlee, Davidson, DePriest, Gaia, Good, Hillis, Holt, Huskey, Kent, Kernell, King, Kisber, Naifeh, Phillips, Pinion, Purcell, Rhinehart, Robinson (Davidson), Stallings, Starnes, Turner (Hamilton), Wheeler, Winningham, Mr. Speaker Murray -- 33.

Representatives voting no were: Bittle, Bivens, Buck, Burchfield, Byrd, Callicott, Chiles, Coffey, Cole, Crain, Davis (Gibson), Davis (Knox), Dixon, Givens, Gunnels, Halteman, Harrill, Hassell, Head, Henry (Roane), Herron, Hobbs, Holcomb, Hubbard, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Napier, Niceley, Nuber, Odom, Peroulas, Pruitt, Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stamps, Turner, C. (Shelby), Turner, L. (Shelby), Ussery, West, Whitson, Williams, Wix, Wolfe, Wood -- 53.

Representatives present and not voting were: Armstrong, Haun, Love, Robinson (Hamilton) -- 4.

Pursuant to Rule No. 63, having received a constitutional majority in the negative, a motion was entertained that Senate Bill No. 1813 be rejected. No motion for rejection having been made, the bill was re-referred to the Calendar and Rules Committee.

*House Bill No. 0074 -- Taxes, Sales -- Increases state sales tax; repeals local sales tax but remits portion of state tax to local government. Amends TCA, Title 67, Ch. 3.

Rep. Rhinehart moved that House Bill No. 74 be passed on third and final consideration.

On motion, Rep. Bragg withdrew Finance, Ways and Means Committee Amendment No. 1.

Rep. Bragg moved adoption of Finance, Ways and Means Committee Amendment No. 2 as follows:

Amendment No. 1

Amend House Bill No. 74 by deleting all language following

the enacting clause in its entirety and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 67-6-212(a) is amended by deleting item (5) in its entirety and by substituting instead the following:

(5) Fees for subscription to premium movie services or pay per view events.

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Rhinehart moved that House Bill No. 74, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 89
Noes 6

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Nuber, Qdom, Peroulae, Phillips, Pinion, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Ussery, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 89.

Representatives voting no were: Gaia, Niceley, Pruitt, Shirley, Turner, C. (Shelby), Turner, L. (Shelby) -- 6.

A motion to reconsider was tabled.

House Bill No. 2327 -- Highway Signs -- Deletes exemption of certain counties from the specific service sign system. Amends TCA 54-5-1109.

On motion, House Bill No. 2327 was made to conform with Senate Bill No. 1924.

On motion, Senate Bill No. 1924, on same subject, was substituted for House Bill No. 2327.

Mr. Speaker Murray moved that Senate Bill No. 1924 be passed on third and final consideration.

On motion, Rep. Robinson (Davidson) withdrew Transportation

Committee Amendment No. 1.

Thereupon, Mr. Speaker Murray moved that Senate Bill No. 1924 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	96
Noes.	0

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 96.

A motion to reconsider was tabled.

House Bill No. 1836 -- Workers' Compensation -- Prohibits retrospective premium adjustments in workers' compensation insurance policies. Amends TCA, Title 50, Ch. 6, Pt. 4; Title 56, Ch. 5, Pt. 3.

On motion, House Bill No. 1836 was made to conform with Senate Bill No. 1599.

On motion, Senate Bill No. 1599, on same subject, was substituted for House Bill No. 1836.

Rep. Rhinehart moved that Senate Bill No. 1599 be passed on third and final consideration.

Rep. Burnett moved the previous question, which motion prevailed.

Thereupon, Rep. Rhinehart moved that Senate Bill No. 1599 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	93
Noes.	3

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain,

Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Gaia, Givens, Good, Gunnele, Halteman, Harrill, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, West, Wheeler, Whitson, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 93.

Representatives voting no were: Hassell, Niceley, Williams --

3. A motion to reconsider was tabled.

House Bill No. 1587 -- Correctional Programs -- Authorizes division of community services to supervise offender who completes special alternative incarceration program. Amends TCA, Title 40, Ch. 20.

On motion, House Bill No. 1587 was made to conform with Senate Bill No. 1604.

On motion, Senate Bill No. 1604, on same subject, was substituted for House Bill No. 1587.

Rep. Naifeh moved that Senate Bill No. 1604 be passed on third and final consideration.

On motion, Rep. Love withdrew State and Local Government Committee Amendment No. 1.

On motion, Rep. Bragg withdrew Finance, Ways and Means Committee Amendment No. 1.

Thereupon, Rep. Naifeh moved that Senate Bill No. 1604 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	93
Noes.	1

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Givens, Good, Halteman, Harrill, Hassell, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley,

WEDNESDAY, MARCH 14, 1990 -- SEVENTY-SEVENTH LEGISLATIVE DAY

Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 93.

Representatives voting no were: Gaia -- 1.

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

MR. SPEAKER: Pursuant to Rule No. 31, I wish to express a desire to change my original stand from not voting to aye on Senate Bill No. 1604 and have this statement entered in the Journal.

Rep. Douglas Gunnels

REGULAR CALENDAR, CONTINUED

House Bill No. 2101 -- Probation -- Authorizes release of certain inmates without hearing in certain circumstances. Amends TCA, Title 40, Chs. 28, 35.

On motion, House Bill No. 2101 was made to conform with Senate Bill No. 2300.

On motion, Senate Bill No. 2300, on same subject, was substituted for House Bill No. 2101.

Rep. Naifeh moved that Senate Bill No. 2300 be passed on third and final consideration.

On motion, Rep. Buck withdrew Judiciary Committee Amendment No. 1.

Thereupon, Rep. Naifeh moved that Senate Bill No. 2300 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	70
Noes.	23
Present and not voting.	2

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bragg, Buck, Burchfield, Burnett, Cain, Chiles, Clark, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Gaia, Givens, Good, Harrill, Head, Henry (Putnam), Herron, Hillis, Holt, Huskey, Jackson, Jones, U. (Shelby), Kent, King, Kisber, Love, McDaniel, Moody, Moore (Lawrence), Naifeh, Napier, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson

(Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Starnes, Turner (Hamilton), Turner, L. (Shelby), Ussery, Wheeler, Williams, Winningham, Wix, Wolfe, Yelton, Mr. Speaker Murray -- 70.

Representatives voting no were: Austin, Bivens, Byrd, Callicott, Coffey, Gunnels, Halteman, Hassell, Haun, Henry (Roane), Hobbs, Hubbard, McAfee, Moore (Shelby), Niceley, Nuber, Odom, Peroulas, Stamps, Turner, C. (Shelby), West, Whitson, Wood -- 23.

Representatives present and not voting were: Holcomb, Kernell -- 2.

A motion to reconsider was tabled.

House Bill No. 2218 -- Crime, Victims of -- Adds to victims and claims under criminal injuries compensation. Amends TCA 9-8-308; Title 29, Ch. 13, Pt. 1, 40-24-107.

Rep. Purcell moved that House Bill No. 2218 be passed on third and final consideration.

Rep. Buck moved adoption of Judiciary Committee Amendment No. 1 as follows:

Amendment No. 1

Amend House Bill No. 2218 by deleting the amendatory language from Section 5 in its entirety and by substituting instead the following:

() In case of the death of a victim who is unmarried and under twenty-four (24) years of age, where the compensation is for unreimbursed or unreimbursable mental health counseling or treatment made necessary by the death of the victim, a family member who provided substantial support or needed services to the victim at the time of the victim's death.

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Purcell moved that House Bill No. 2218, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	96
Noes.	0

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Coeke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Gaia, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry

WEDNESDAY, MARCH 14, 1990 -- SEVENTY-SEVENTH LEGISLATIVE DAY

(Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Paroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 96.

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

MR. SPEAKER: Pursuant to Rule No. 31, I wish to express a desire to change my original stand from no to aye on Senate Bill No. 2300 and have this statement entered in the Journal.

Rep. H. E. Bittle

REGULAR CALENDAR, CONTINUED

House Bill No. 2359 -- Civil Service -- Authorizes civil service commission to retain jurisdiction for enforcement purposes; authorizes appeals from final orders to court of appeals. Amends TCA 8-30-328.

On motion, House Bill No. 2359 was made to conform with Senate Bill No. 2099.

On motion, Senate Bill No. 2099, on same subject, was substituted for House Bill No. 2359.

Rep. Purcell moved that Senate Bill No. 2099 be passed on third and final consideration.

On motion, Rep. Love withdrew State and Local Government Committee Amendment No. 1.

Thereupon, Rep. Purcell moved that Senate Bill No. 2099 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	96
Noes.	0

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Gaia, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry

(Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 96.

A motion to reconsider was tabled.

House Bill No. 2155 -- Insurance Companies, Agents, Brokers -- Enacts "Exchange or Reciprocal Insurance Act of 1990". Amends TCA, Title 56, Ch. 16.

On motion, House Bill No. 2155 was made to conform with Senate Bill No. 2287.

On motion, Senate Bill No. 2287, on same subject, was substituted for House Bill No. 2155.

Rep. Purcell moved that Senate Bill No. 2287 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	96
Noes.	0

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Gaia, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 96.

A motion to reconsider was tabled.

*House Bill No. 2519 -- Consumer Protection -- Removes verbal communications as a necessary element for making certain unfair or deceptive acts or practices unlawful. Amends TCA 47-18-104.

Rep. C. Turner (Shelby) moved that House Bill No. 2519 be passed on third and final consideration.

Rep. C. Turner (Shelby) moved adoption of Labor and Consumer Affairs Committee Amendment No. 1 as follows:

Amendment No. 1

Amend House Bill No. 2519 by deleting Section 2 in its entirety and substituting instead the following new sections:

SECTION 2. Tennessee Code Annotated, Section 47-18-104(f), is further amended by deleting the word "and" at the end of subdivision (1)(A)(i) and substituting instead the word "or", and by deleting the punctuation and word "; and" at the end of subdivision (1)(B)(i), and substituting instead a period ".".

SECTION 3. Tennessee Code Annotated, Section 47-18-104(f), is further amended by adding the following language as a new subdivision (5):

(5) The provisions of subsection (f) shall not apply to retail promotions which do not involve the offering of travel or tourist related services and which do not offer to consumer or other person or represent or lead a consumer or other person to believe, that the consumer or person will or may receive any prize, gift or award, or thing of value pursuant to subdivision (f)(1)(B), and which merely offer savings on consumer goods or services including "one-cent sales", "two-for-the price-of-one-sales", or manufacturer's "cents-off" coupons. The burden of proving this exemption applies to the person claiming the exemption.

SECTION 4. This act shall take effect July 1, 1990, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Rep. C. Turner (Shelby) moved to amend as follows:

Amendment No. 2

Amend House Bill No. 2519 by deleting from Section 2, as amended, the language "and substituting instead a period (.)" and by substituting instead the language "and substituting instead a semicolon (;)".

On motion, Amendment No. 2 was adopted.

Thereupon, Rep. C. Turner (Shelby) moved that House Bill No.

2519, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	94
Noes	0

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocks), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Gala, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner, C. (Shelby), Turner, L. (Shelby), Ussery, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 94.

A motion to reconsider was tabled.

House Bill No. 1914 -- Environmental Preservation -- Restricts releasing of balloons into atmosphere.

On motion, House Bill No. 1914 was made to conform with Senate Bill No. 1666.

On motion, Senate Bill No. 1666, on same subject, was substituted for House Bill No. 1914.

Rep. Armstrong moved that Senate Bill No. 1666 be passed on third and final consideration.

On motion, Rep. Hillis withdrew Conservation and Environment Committee Amendment No. 1.

On motion, Rep. Hillis withdrew Conservation and Environment Committee Amendment No. 2.

On motion, Rep. Hillis withdrew Conservation and Environment Committee Amendment No. 3.

On motion, Rep. Hillis withdrew Conservation and Environment Committee Amendment No. 4.

Rep. Hillis moved adoption of Conservation and Environment Committee Amendment No. 5 as follows:

Amendment No. 1

Amend Senate Bill No. 1666 by adding the following new

section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section _____. The provisions of this act shall not apply in any county having a population of not less than 49,275 nor more than 49,375 according to the 1980 federal census or any subsequent federal census.

On motion, Amendment No. 1 was adopted.

Rep. Hillis moved adoption of Conservation and Environment Committee Amendment No. 6 as follows:

Amendment No. 2

Amend Senate Bill No. 1666 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section _____. The provisions of this act shall not apply in any county having a population of not less than 770,000 nor more than 780,000 according to the 1980 federal census or any subsequent federal census.

On motion, Amendment No. 2 was adopted.

Rep. Gunnels moved to amend as follows:

Amendment No. 3

Amend Senate Bill No. 1666 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section _____. The provisions of this act shall not apply in counties having a population, according to the 1980 federal census or any subsequent federal census of:

not less than
28,500
28,690

nor more than
28,560
28,750

On motion, Amendment No. 3 was adopted.

Rep. Severence moved the previous question, which motion he then withdrew.

Thereupon, Rep. Armstrong moved that Senate Bill No. 1666, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	77
Noes.	11
Present and not voting.	2

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Clark, Coffey, Collier, Crain, Cross, Curlee, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Gaia, Good, Halteman, Harrill, Hassell, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holt, Hubbard, Huskey, Jones, R. (Shelby), Jones, U. (Shelby), Kernell, Kisber, Love, McAfee, McDaniel, Moore (Lawrence), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), West, Wheeler, Williams, Winningham, Wolfe, Wood, Yelton -- 77.

Representatives voting no were: Chiles, Davidson, Givens, Gunnels, Haun, Head, Kent, King, Moody, Ussery, Mr. Speaker Murray -- 11.

Representatives present and not voting were: Holcomb, Moore (Shelby) -- 2.

A motion to reconsider was tabled.

House Bill No. 2330 -- Osteopathy -- Requires certain personnel in physicians' offices to be certified. Amends TCA, Title 63, Ch. 9.

On motion, House Bill No. 2330 was made to conform with Senate Bill No. 2232.

On motion, Senate Bill No. 2232, on same subject, was substituted for House Bill No. 2330.

Rep. Bivens moved that Senate Bill No. 2232 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	94
Noes.	0

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Gaia, Givens, Good, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton),

WEDNESDAY, MARCH 14, 1990 -- SEVENTY-SEVENTH LEGISLATIVE DAY

Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 94.

A motion to reconsider was tabled.

House Bill No. 2317 -- Claims Commission, Tennessee -- Expands type of cases which may be transferred from claims commission to trial court. Amends TCA 9-8-404.

Rep. Herron moved that House Bill No. 2317 be reset to the Calendar for Thursday, March 15, 1990, which motion prevailed.

House Bill No. 2516 -- Tort Liability -- Enacts "The Public Protection Act of 1990". Amends TCA, Title 50.

Rep. Herron moved that House Bill No. 2516 be reset to the Calendar for Monday, March 19, 1990, which motion prevailed.

CONSENT CALENDAR

House Joint Resolution No. 0691 -- Memorials, Professional Achievement -- Congratulates Hank Williams Jr. on Grammy Award.

House Joint Resolution No. 0692 -- Memorials, Public Service -- Honors Shelby County Sheriff Jack R. Owens.

House Joint Resolution No. 0693 -- Memorials, Public Service -- Honors Cleveland Kids on the Block adult literacy program.

House Joint Resolution No. 0694 -- Memorials, Public Service -- Honors Jeff H. Dyer for his service as Commissioner of Financial Institutions.

House Joint Resolution No. 0697 -- Memorials, Recognition -- Honors Harvey G. Loy for contributions as educator.

House Joint Resolution No. 0700 -- No Primary Subject in Data Base -- Honors and commends Connie Ross and Memphis Area Legal Services.

House Joint Resolution No. 0701 -- Memorials, Public Service -- Honors Laymen's Organization of St. Andrew AME Church.

House Bill No. 2620 -- Marion County -- Establishes salary of juvenile court judge. Amends Chapter 314, Private Acts of 1982.

House Bill No. 2621 -- Marion County -- Removes salary supplement for general sessions judges. Repeals Chapter 345, Private Acts of 1982.

Senate Joint Resolution No. 0510 -- Memorials, Recognition --
Recognizes 50th anniversary of East Ridge Baptist Church.

Senate Joint Resolution No. 0511 -- Memorials, Condolence --
Honors memory of Elizabeth Patten.

Pursuant to Rule No. 50, Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, that all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes.	91
Noes.	4

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Gaia, Givens, Good, Gunnels, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Peroutas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 91.

Representatives voting no were: Coffey, Halteman, Odom, Stamps -- 4.

A motion to reconsider was tabled.

MESSAGE CALENDAR

***House Bill No. 0628 -- Drugs** -- Permits confiscation of property for certain conduct relating to controlled substances. Amends TCA, Title 53, Ch. 11.

Rep. Naifeh moved that House Bill No. 628 be reset to the Message Calendar for Thursday, March 15, 1990, which motion prevailed.

HOUSE ACTION ON SENATE AMENDMENTS

House Bill No. 1954 -- Election Laws -- Removes certain

restrictions on absentee voting for students and certain others who are gainfully employed. Amends TCA, Title 2, Ch. 6.

Senate Amendment No. 1

Amend House Bill No. 1954 by deleting Sections 1 and 2 in their entirety and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 2-6-102(3), is amended by designating the existing language as subsection (3)(A), and by adding as a new subsection (3)(B) the following:

The local election commission in each county having a degree granting institution of higher education with regional accreditation or licensed by the Tennessee higher education commission located within its boundaries, shall conduct supplemental absentee voting clinics. Such clinics shall be conducted on the campus of such an institution, and may be held in conjunction with the supplemental voter registrations referred to in Tennessee Code Annotated, subsection 2-2-112(c). At such absentee voting clinics, eligible students and their spouses may request and complete an application for a by-mail absentee ballot. Upon completion of the form and obtaining proof of the applicant's eligibility, the election officials shall verify the applicant's non-registration in the county where the institution is located, and shall forward such application to the appropriate county for processing. Such absentee clinics shall be held not more than ninety (90) days, nor less than forty (40) days prior to the regular August election in even-numbered years, and shall be held in odd-numbered years, the time to be determined by the local election commission.

SECTION 2. Tennessee Code Annotated, Section 2-6-102, is further amended by adding as a new appropriately numbered subsection the following:

By mail for persons gainfully employed who reside and work within the state of Tennessee who, because of their employment, will be outside the county where the person is registered on election day and expects to remain outside the county during the period established for voting absentee by personal appearance. Upon receiving the application for ballot from the county of registration, the voter must include a mailing address outside the voter's county of residence and the certificate of nonregistration completed pursuant to Tennessee Code Annotated, Section 2-6-124.

Senate Amendment No. 2

Amend House Bill No. 1954 by deleting Section 2, as amended, in its entirety and by renumbering the subsequent section accordingly.

Rep. Bivens moved to concur in Senate Amendment(s) No(s). 1 and 2, which motion prevailed by the following vote:

Ayes.	91
Noes.	4

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Cole, Collier, Copeland, Grain, Cross, Curlee, Davidson, Davis (Cooke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Gala, Givens, Good, Gunnels, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 91.

Representatives voting no were: Coffey, Halteman, Odom, Stamps -- 4.

A motion to reconsider was tabled.

UNFINISHED BUSINESS

MOTIONS TO RECALL

Rep. Stamps moved to recall Senate Bill No. 2266 from the Governor's office, which motion he then withdrew.

Rep. King moved to recall Senate Bill No. 1841 from the Calendar and Rules Committee to be held on the Clerk's desk, which motion he then withdrew.

SPONSORS ADDED

Without objection, the rules were suspended to allow the following members to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

WEDNESDAY, MARCH 14, 1990 -- SEVENTY-SEVENTH LEGISLATIVE DAY

House Joint Resolution No. 648: Rep(s). Turner, B added as prime sponsor(s).

House Joint Resolution No. 694: Rep(s). Peroulas added as prime sponsor(s).

House Bill No. 74: Rep(s). Stamps and Wix added as prime sponsor(s).

House Bill No. 1727: Rep(s). Burnett, Clark, McDaniel, Moody and Purcell added as prime sponsor(s).

House Bill No. 2113: Rep(s). Curlee and Hillis added as prime sponsor(s).

House Bill No. 2145: Rep(s). Burnett, Curlee, Davidson, Head, McDaniel, Odom, Pinion and Winningham added as prime sponsor(s).

House Bill No. 2154: Rep(s). Clark added as prime sponsor(s).

House Bill No. 2192: Rep(s). Turner, B added as prime sponsor(s).

House Bill No. 2218: Rep(s). Armstrong, Hobbs and Moore, C added as prime sponsor(s).

House Bill No. 2227: Rep(s). Bell added as prime sponsor(s).

House Bill No. 2336: Rep(s). Armstrong, Burchfield, Davis, J K, Scruggs and Severance added as prime sponsor(s).

House Bill No. 2380: Rep(s). Stamps added as prime sponsor(s).

House Bill No. 2473: Rep(s). Bell and Winningham added as prime sponsor(s).

House Bill No. 2494: Rep(s). Rhinehart added as prime sponsor(s).

House Bill No. 2516: Rep(s). Burnett, Clark, Dixon, Head, Henry D, Jones U, Naifeh, Wheeler and Wix added as prime sponsor(s).

SPONSORS REMOVED

On motion, Rep. Kernell was removed as sponsor of House Bill No. 1856.

INTRODUCTION OF RESOLUTIONS

House Joint Resolution No. 0695 -- Naming and Designating -- Designates April 22 as Earth Day 1990. by *Kernell, *Hillis, *Moore U A, *Davis J K, *Cross, *Severance, *Burchfield, *Moody, *McDaniel, *Crain, *Holt, *Stallings, *Williams K, *Niceley, Byrd, Turner C, Givens, Hassell.

WEDNESDAY, MARCH 14, 1990 -- SEVENTY-SEVENTH LEGISLATIVE DAY

The Speaker referred House Joint Resolution No. 695 to the Calendar and Rules Committee.

*House Joint Resolution No. 0698 -- General Assembly, Studies -- Continues special joint committee created to study mental retardation delivery system. by *Henry Jim, *Naifeh, *Peroulas.

The Speaker referred House Joint Resolution No. 698 to the General Welfare Committee.

*House Joint Resolution No. 0699 -- General Assembly, Studies -- Creates joint legislative committee to study earthquake preparedness. by *Kernell, *Crain, *Holt, *Pinion, *Davis Ray, *Stallings, *Herron, *Wolfe, *McDaniel, *Sipes, *Moore U A, *King, Hassell, Shirley, Williams K, Nuber, Turner L, Burnett, Byrd, Turner C, Jones U, Dixon, Naifeh, Kisber, Cain, Gafa, Jones R.

The Speaker referred House Joint Resolution No. 699 to the Conservation and Environment Committee.

House Joint Resolution No. 0702 -- Memorials, Congratulations -- Congratulates Velma Lewis on artistic accomplishments. by *Moore U A.

The Speaker referred House Joint Resolution No. 702 to the Calendar and Rules Committee.

House Joint Resolution No. 0703 -- Memorials, Congratulations -- Congratulates Andrew Howsden on artistic accomplishments. by *Moore U A.

The Speaker referred House Joint Resolution No. 703 to the Calendar and Rules Committee.

House Joint Resolution No. 0704 -- Memorials, Congratulations -- Congratulates Charlene Generoso on artistic accomplishments. by *Moore U A.

The Speaker referred House Joint Resolution No. 704 to the Calendar and Rules Committee.

House Joint Resolution No. 0705 -- Memorials, Congratulations -- Congratulates Tyson Held on artistic accomplishments. by *Moore U A.

The Speaker referred House Joint Resolution No. 705 to the Calendar and Rules Committee.

House Joint Resolution No. 0706 -- Memorials, Congratulations -- Congratulates Jeremy Mackey on artistic accomplishments. by *Moore U A.

The Speaker referred House Joint Resolution No. 706 to the Calendar and Rules Committee.

WEDNESDAY, MARCH 14, 1990 -- SEVENTY-SEVENTH LEGISLATIVE DAY

House Joint Resolution No. 0709 -- Memorials, Recognition -- Recognizes East Ridge Baptist Church. by *Starnes.

The Speaker referred House Joint Resolution No. 709 to the Calendar and Rules Committee.

House Joint Resolution No. 0710 -- Naming and Designating -- Designates March 1990 as Youth Art Month. by *Starnes, *Wood, *Robinson C B.

The Speaker referred House Joint Resolution No. 710 to the Calendar and Rules Committee.

House Joint Resolution No. 0711 -- Memorials, Professional Achievement -- Honors Dennis Dycus on being recipient of Association of Government Accountants' Education and Training Award. by *Bragg.

The Speaker referred House Joint Resolution No. 711 to the Calendar and Rules Committee.

House Joint Resolution No. 0712 -- Memorials, Public Service -- Honors Comptroller William R. Snodgrass for his service to the state. by *Bragg.

The Speaker referred House Joint Resolution No. 712 to the Calendar and Rules Committee.

House Joint Resolution No. 0713 -- Memorials, Recognition -- Expresses appreciation to Association of Government Accountants. by *Bragg.

The Speaker referred House Joint Resolution No. 713 to the Calendar and Rules Committee.

House Joint Resolution No. 0714 -- Memorials, Interns and Pages -- Honors Philip Scott Anderson, 1990 legislative intern. by *Haun.

The Speaker referred House Joint Resolution No. 714 to the Calendar and Rules Committee.

SENATE JOINT RESOLUTIONS (Congratulatory and Memorializing)

Senate Joint Resolution No. 0513 -- Memorials, Professional Achievement -- Commends Larry Carrier for development of Bristol International Raceway.

The Speaker referred Senate Joint Resolution No. 513 to the Calendar and Rules Committee.

Senate Joint Resolution No. 0515 -- Memorials, Public Service -- Commends Ronald Isenberg for diligent community service.

WEDNESDAY, MARCH 14, 1990 -- SEVENTY-SEVENTH LEGISLATIVE DAY

The Speaker referred Senate Joint Resolution No. 515 to the Calendar and Rules Committee.

Senate Joint Resolution No. 0516 -- Memorials, Personal Occasion -- Congratulates Alice and Terry Reid on fortieth anniversary.

The Speaker referred Senate Joint Resolution No. 516 to the Calendar and Rules Committee.

Senate Joint Resolution No. 0523 -- Memorials, Retirement -- Honors Bergen Merrill, Jr. on his retirement from Memphis State University.

The Speaker referred Senate Joint Resolution No. 523 to the Calendar and Rules Committee.

Senate Joint Resolution No. 0544 -- Memorials, Public Service -- Honors Catherine H. Kemp for service on State Board of Education.

The Speaker referred Senate Joint Resolution No. 544 to the Calendar and Rules Committee.

Senate Joint Resolution No. 0545 -- Memorials, Public Service -- Honors S.L. "Kopie" Kopald, Jr. for service on State Board of Education.

The Speaker referred Senate Joint Resolution No. 545 to the Calendar and Rules Committee.

Senate Joint Resolution No. 0546 -- Memorials, Public Service -- Honors Toy Franklin Reid for service on State Board of Education.

The Speaker referred Senate Joint Resolution No. 546 to the Calendar and Rules Committee.

RESOLUTIONS LYING OVER

***Senate Joint Resolution No. 0455 -- General Assembly, Studies --** Creates special joint committee to study rising health care costs.

The Speaker referred Senate Joint Resolution No. 455 to the General Welfare Committee.

INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first consideration.

House Bill No. 2629 -- Huntingdon -- Revises charter. Amends Chapter 233, Private Acts of 1974, as amended. by *Ridgeway.

WEDNESDAY, MARCH 14, 1990 -- SEVENTY-SEVENTH LEGISLATIVE DAY

Passed first consideration.

House Bill No. 2630 -- Gatlinburg -- Authorizes levy of impact fees against new development for certain purposes. by *Huskey.

Passed first consideration.

*House Bill No. 2631 -- Gas, Petroleum Products, Volatile Oils -- Deletes sunset provision on oil and gas well spacing requirement in Overton County. Amends TCA 60-1-106. by *Burnett.

Passed first consideration.

House Bill No. 2632 -- Palmer -- Revises city charter. Amends Chapter 318, Private Acts of 1925, as amended. by *Curlee.

Passed first consideration.

House Bill No. 2633 -- Blount County -- Extends Blount County Technology Corridor Deveopment Authority. Amends Chapter 180, Private Acts of 1986, as amended. by *Huskey, *Anderson.

Passed first consideration.

SENATE BILLS ON FIRST CONSIDERATION

On motion, the Senate Bills listed below, transmitted to the House were held on the Clerk's desk as noted.

*Senate Bill No. 0738 -- Tort Liability -- Revises itemization of damages recoverable in wrongful death action. Amends TCA 20-5-113.

Held on the Clerk's desk pending third consideration of companion House Bill No. 924.

*Senate Bill No. 1768 -- Smoking -- Includes nicotine abuse in substance abuse programs. Amends TCA, Titles 33, 49.

Held on the Clerk's desk pending third consideration of companion House Bill No. 2078.

*Senate Bill No. 1803 -- Courts, General Sessions -- Creates new division of court and judge in the General Sessions Criminal Court Act of 1981. Amends Chapter 772, Public Acts 1982.

Held on the Clerk's desk pending third consideration of companion House Bill No. 1768.

*Senate Bill No. 2303 -- Sunset Laws -- Extends termination date of department of education. Amends TCA, Title 2, Ch. 19; Title 3, Ch. 15; Title 4, Chs. 3, 11, 12, 29; Title 5, Chs. 12, 21; Title 6, Ch. 21; Title 8, Chs. 23, 27, 34, 36, 50; Title 10, Chs. 1, 2, 7; Title 11, Chs. 21, 24; Title 24, Ch. 1; Title 37, Chs. 1,

WEDNESDAY, MARCH 14, 1990 -- SEVENTY-SEVENTH LEGISLATIVE DAY

3; Title 39, Ch. 6; Title 41, Chs. 5, 21; Title 49; Title 50, Ch. 6; Title 55, Ch. 50; Title 63, Chs. 11, 17; Title 68, Chs. 1, 12; Title 71, Ch. 4.

Held on the Clerk's desk pending third consideration of companion House Bill No. 2046.

***Senate Bill No. 2307 -- Sunset Laws --** Extends termination date of state board of education. Amends TCA, Title 1, Ch. 3; Title 2, Ch. 17; Title 4, Chs. 3, 29; Title 5, Chs. 1, 8, 9, 12--15, 21, 22; Title 6, Chs. 21, 31, 33, 35, 36, 53, 56; Title 7, Ch. 2; Title 8, Chs. 23, 30, 34, 35, 39, 47, 48; Title 10, Ch. 2; Title 11, Ch. 21; Title 12, Chs. 1, 4; Title 20, Chs. 9, 13; Title 27, Ch. 9; Title 28, Chs. 1, 3; Title 29, Chs. 14, 20, 35; Title 37, Chs. 1, 2; Title 39, Ch. 6; Title 40, Ch. 28; Title 47, Chs. 2, 4, 14; Title 49; Title 50, Chs. 1, 6; Title 62, Ch. 34; Title 63, Ch. 11; Title 67, Chs. 3, 6; Title 68, Chs. 1, 12; Title 70, Ch. 2.

Held on the Clerk's desk pending third consideration of companion House Bill No. 2047.

***Senate Bill No. 2323 -- Election Laws --** Revises time period for appeal of rejection of voter registration. Amends TCA, Titles 2, 55.

Held on the Clerk's desk pending third consideration of companion House Bill No. 2126.

***Senate Bill No. 2326 -- University of Tennessee --** Revises term of UT board of trustees members. Amends TCA 49-9-202, 203.

Held on the Clerk's desk pending third consideration of companion ***House Bill No. 2117.**

***Senate Bill No. 2349 -- Privacy, Confidentiality --** Extends confidential status to certain records of county and municipal governments. Amends TCA, Title 10, Ch. 7.

Held on the Clerk's desk pending third consideration of companion House Bill No. 2442.

***Senate Bill No. 2352 -- Purchasing --** Exempts nonprofit corporations from County Purchasing Law of 1983. Amends TCA 5-14-202.

Held on the Clerk's desk pending third consideration of companion ***House Bill No. 2162.**

***Senate Bill No. 2357 -- Alcoholic Beverages --** Gives board discretion to issue permit prior to one year after revocation. Amends TCA 57-5-109.

Held on the Clerk's desk pending third consideration of companion ***House Bill No. 2207.**

WEDNESDAY, MARCH 14, 1990 -- SEVENTY-SEVENTH LEGISLATIVE DAY

Senate Bill No. 2378 -- Motor Vehicles -- Permits parties in an accident to obtain financial responsibility information about other parties. Amends TCA 55-12-104.

Held on the Clerk's desk pending third consideration of companion *House Bill No. 2238.

***Senate Bill No. 2393 -- Mines, Mining --** Changes certain regulatory provisions pertaining to strip and open pit mines and mining. Amends TCA, Title 59.

Held on the Clerk's desk pending third consideration of companion House Bill No. 2311.

Senate Bill No. 2397 -- Game and Fish Laws -- Revises certain provisions relative to game and fish laws. Amends TCA 70-1-302, 305, 70-2-101, 108, 70-2-205, 206, 208, 218, 70-4-104, 113, 115, 116, 118, 119, 70-4-201, 206, 101, 70-6-101, 70-8-103.

Held on the Clerk's desk pending third consideration of companion *House Bill No. 2289.

***Senate Bill No. 2403 -- Mass Transit --** Defines "mass transit systems". Amends TCA 54-4-103.

Held on the Clerk's desk pending third consideration of companion House Bill No. 2414.

***Senate Bill No. 2405 -- Real Property --** Revises definitions; provides for private elements in Horizontal Property Act. Amends TCA, Title 66, Ch. 27, Pt. 1.

Held on the Clerk's desk pending third consideration of companion House Bill No. 2323.

***Senate Bill No. 2413 -- Aged Persons --** Allows blood donations by persons older than 65. Amends TCA 68-32-101.

Held on the Clerk's desk pending third consideration of companion House Bill No. 2458.

Senate Bill No. 2478 -- Juries and Jurors -- Grants sole discretion to judge on issue of jury sequestration in certain cases. Amends TCA 40-18-116.

Held on the Clerk's desk pending third consideration of companion *House Bill No. 2438.

Senate Bill No. 2528 -- Litter Control -- Creates presumption that litter bearing person's name was put on property by that person. Amends TCA 39-14-502.

Held on the Clerk's desk pending third consideration of companion *House Bill No. 2440.

WEDNESDAY, MARCH 14, 1990 -- SEVENTY-SEVENTH LEGISLATIVE DAY

HOUSE BILLS ON SECOND CONSIDERATION

On motion, bills listed below passed second consideration and were referred to committee or held on the Clerk's desk as noted.

House Bill No. 2624 -- Hamblen County -- Passed second consideration and held on Clerk's desk pending approval by local delegation.

***House Bill No. 2625 -- Taxes, Real Property --** Passed second consideration and referred to the State and Local Government Committee.

House Bill No. 2626 -- White Pine -- Passed second consideration and held on Clerk's desk pending approval by local delegation.

House Bill No. 2627 -- Madisonville -- Passed second consideration and held on Clerk's desk pending approval by local delegation.

***House Bill No. 2628 -- Gas, Petroleum Products, Volatile Oils --** Passed second consideration and referred to the Conservation and Environment Committee.

DELAYED BILLS REFERRED

Pursuant to Rule No. 78, House Bill(s) No(s). 2625 and 2628, was/were referred to the Delayed Bills Committee.

LOCAL BILLS TRANSMITTED TO CALENDAR AND RULES

March 14, 1990

In accordance with Rule No. 48, the following local bill(s), having received authorization for passage by the local legislative delegation, was/were transmitted to the Calendar and Rules Committee: House Bill(s) No(s). 2617, 2618, 2619 and 2624.

REPORT OF COMMITTEE ON CALENDAR AND RULES

CONSENT CALENDAR

March 14, 1990

MR. SPEAKER: The officers of your Calendar and Rules Committee beg leave to report that we have set the following bill(s) and/or resolution(s) on the Consent Calendar for Thursday, March 15, 1990: House Joint Resolution(s) No(s). 702, 703, 704, 705, 706, 709, 710, 711, 712, 713 and 714; House Bill(s) No(s). 2617, 2618, 2619 and 2624; also, Senate Joint Resolution(s) No(s). 513, 515, 516, 523, 544, 545 and 546.

PHILLIPS, Chairman.

WEDNESDAY, MARCH 14, 1990 -- SEVENTY-SEVENTH LEGISLATIVE DAY

ENGROSSED BILLS

March 14, 1990

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bill(s) No(s). 1746 and 2346; also, House Joint Resolution(s) No(s). 707; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

March 14, 1990

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1778, 1837, 2032, 2147, 2206, 2233, 2242, 2400, 2523, 2599, 2600, 2601, 2602, 2605, 2607 and 2609; also, House Joint Resolution(s) No(s). 613, 671, 674, 675, 676 and 679; signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

March 14, 1990

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 1628, 1718, 1720, 1722, 1724, 1728, 1729, 1767, 1773, 1996, 2052, 2056, 2144, 2153, 2162, 2193, 2225, 2280, 2364, 2368, 2372, 2417, 2523 and 2546; also, Senate Joint Resolution(s) No(s). 476; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

ENGROSSED BILLS

March 14, 1990

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bill(s) No(s). 74, 2218, 2519, 2620 and 2621; also, House Joint Resolution(s) No(s). 691, 692, 693, 694, 697, 700 and 701; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

ROLL CALL

The roll call was taken with the following results:

Present 97

Representatives present were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 97.

On motion of Rep. Naifeh, the House adjourned until 9:00 a.m., Thursday, March 15, 1990.